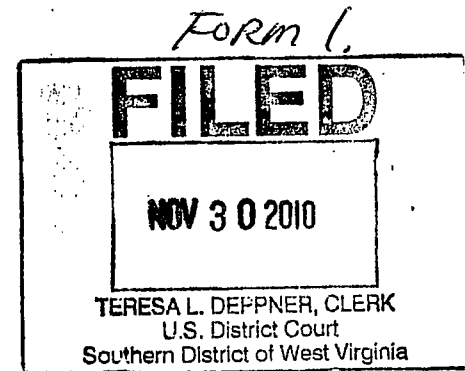


UNITED STATES DISTRICT COURT
FOR THE Southern District of W.V.



Anthony Eugene BROOKS

Plaintiff,

v.

United States of America

Defendant (s).

*
*
*
*
*
*

CIVIL NO. 5:10-1340

PETITION PURSUANT TO 28 U.S.C.
SECTION 1331

"Threatening Statement Made"
"I'm in imminent danger" from the officer and need "Formal Papers"

PETITIONER FILED IN THIS HONORABLE COURT FOR THE

Southern District of West Virginia
Charleston, W.V. Judge Johnston's Chambers

Anthony Eugene Brooks #56112-083
P.O. Box 350
Beaver, W.V. 25813

BY PLAINTIFF: Anthony Eugene Brooks;
Petitioner

v.
United States of America;
Defendant, Respondent

1331 Form

FORM TO BE USED BY FEDERAL PRISONERS IN FILING A COMPLAINT
UNDER 28 U.S.C. § 1331

In the United States District Court
For the Southern Dist. of W. Virginia

Anthony Eugene BROOKES
Plaintiff and Petitioner

(Enter above the full name of the
plaintiff or plaintiffs in this
action)

v.

United States of America
Defendant
Respondent

(Enter the full name above of the
defendant or defendants in this
action).

I. Place of Present Confinement F.C.I. Beckley, Beaver, WV 25813

II. Previous Lawsuits

A. Have you begun other lawsuits dealing with the same facts involved
in this action or otherwise relating to your imprisonment?
Yes _____ No ✓

B. If your answer to A is yes, describe each lawsuit in the space
below. (If there is more than one lawsuit, describe the additional
lawsuits on another piece of paper, using the same outline).

III. In order to proceed in federal court you must ordinarily fully exhaust your administrative remedies as to each ground on which you request action by the federal court.

A. Did you fully exhaust, including appeals, your administrative remedies pursuant to the Bureau of Prisons Policy Statement 1330.07? Yes ☒ No ☐

B. If your answer to A is yes,

1. What steps did you take? BP 9, BP 10, BP 11 and Tort Claim.

2. What was the result? Denied. However, one inmate who told me he was trying to get time taken off his current sentence and wanting transfer, persuaded himself to take

C. If your answer to A is no, why not? up for B.O.P. Officer who's his friend. "Trion Williams" 38092-083

IV. Parties

(In Item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any).

A. Name of plaintiff Anthony Eugene BROOKS #56112-083

F.C.I. Beckley P.O. Box 350

Beaver, WV. 25813 For 90 more days

(In Item B below, place the full name of the defendant in the first blank, his official position in the second blank. Use Item C for the names, positions, and place of employment of any additional defendants). "Acting under Federal Law," "Negligence" "Claim."

B. Defendant OFFICER, J. White is employed as Bureau of Prisons Corrections OFFICER at Federal Correctional Institute Beckley, P.O. Box 350 Beaver, WV. 25813

C. Additional Defendants United States of America

- Case 5:10-cv-01340 Document 1 Filed 12/30/10 Page 4 of 50
1. ~~Orbis~~ ~~Witness~~ ~~MR. Willie Flowers~~ He goes home in December and is not afraid to testify due to Retaliation by B.O.P. Staff
 2. Bias Witness - MR. TRION Williams told me because of his time and Wanting to transfer to Petersburg Va. he would claim he was
 - V. Cause of Action holding the door instead of the officer, that's Perjury

(List hereunder the different causes of action that are the grounds for the prosecution of this law suit.)

1. "Negligence" and "Deliberate Indifference" Causing injury to Right Big Toe and Fracturing Foot and Ligiment damage.
2. OFFICER J. White an OFFICER For the Bureau of Prisons
3. While "Horse Playing" With an Iron door Severely injured my Right Foot by Suddenly Releasing the held door.

VI. Grounds for relief

(Hereunder set out the factual allegations that you consider as establishing a basis for your requested relief under the specific cause/s of action/s.) (If additional space is necessary. include as attachments.)

1. ON 6-11-2010 While Returning From Recreation yard, I approached my housing unit Popular-B-Lower Where the
 2. OFFICER J. White was "Negligently" holding a huge IRON door Shut intentionally impressing inmate "TRION Williams"
 3. and inmate "Clue". When I tried to open the door it wouldn't open, I Looked in and saw Bureau of Prisons
 4. OFFICER J. White holding the door, When I tried a second and third time, he releases the door injury my Foot.
- VII. Relief sought (Hereunder itemize the specific relief you exact to obtain on the prosecution of this law suit.) 8th Amendment Right Violated.

1. ~~8th~~ ^{Eighth} Amendment Right From Cruel and Unusual Punishment being Violated With "Deliberate Indifference" and
2. "Negligence" by Bureau of Prisons OFFICER J. White Who never denied this injury, and Conclusive Video and Witnesses can Confirm. IN 4 months I'll pay Filing Fee

Wherefore, your Plaintiff respectfully requests that this Honorable Court grant the within relief sought and any other relief that this Court deems just and proper.

Monetary, Punitive damages,
Psychological damage as Im
on Several Psych medications,
Mental and Physical Pain
and Suffering, emotional
Stress. Relief Sought \$ 200,000
Two Hundred Thousand dollars
U.S. District Court Southern Dist. of West Virginia.

- Witnesses: For trial Bureau of Prisons Correctional OFFICER NO.
1. J. White, at Fault.
 2. Willie Flowers #31242-160.
 3. TRION Williams #38092-083.
 4. Investigator, Lt. Toney - Perjury.
 5. Hugh Wright #02397-084

Signed this 2nd day of November, 2010.

Mr. Anthony E. Brooks

(Signature of plaintiff or
plaintiffs)

Executed at F.C.I. Beckley, P.O. Box 350, Beaver, WV. 25813
(Name of Institution, City, County)

I declare under penalty of perjury that the foregoing
is true and correct.

Executed on 11-22-2010
(Date)

Mr. Anthony Eugene Brooks

(Signature of plaintiff or

plaintiffs) P.S. Dear Court, in Four
months I Will be Released
and I'm Willing to pay Filing Fee
-5- FOR this meritorious civil action.
The investigating officer Lt.
Toney never Reviewed the
Video as he promised to do,
which Would have shown the
officer "Negligently" injuring
my Foot ~~Nor~~ did the Lt. take
my witnesses statement who
saw the entire injury on 6-11-20

Clerk of Court

1. All Witnesses on
Page 4. Live here at
F.C.I. Beckley
P.O. Box 350
Beaver, WV. 25813

2. Officer at Fault
J. White works here,
all can be subpoenaed here.

| FINANCIAL AFFIDAVIT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|--|---|-------------------------|--|--|---|---------------|----------------------------------|--------------|----------------------------------|--|--|--|---|--|-----------|------------|----------------|---|-------------|-------------|--|--|--|--|--|--|--|--|--|
| IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| IN UNITED STATES <input type="checkbox"/> MAGISTRATE <input checked="" type="checkbox"/> DISTRICT <input type="checkbox"/> APPEALS COURT or <input type="checkbox"/> OTHER PANEL (Specify below) | | LOCATION NUMBER | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| IN THE CASE OF | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <u>BROOKS</u> v.s. <u>U.S.A</u> <u>U.S. Dist. Court S. Dist. of W.V.</u> | | FOR <u>Civil Action, U.S. Dist. Court</u> AT <u>Federal Corrections Inst. Beckley</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| PERSON REPRESENTED (Show your full name) | | <input type="checkbox"/> Defendant—Adult <input type="checkbox"/> Defendant - Juvenile <input type="checkbox"/> Appellant <input type="checkbox"/> Probation Violator <input type="checkbox"/> Parole Violator <input type="checkbox"/> Habeas Petitioner <input type="checkbox"/> 2255 Petitioner <input type="checkbox"/> Material Witness <input checked="" type="checkbox"/> Other | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <u>Anthony Eugene Brooks</u> | | DOCKET NUMBERS Magistrate District Court Court of Appeals | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| CHARGE/OFFENSE (describe if applicable & check box →) | | <input type="checkbox"/> Felony <input checked="" type="checkbox"/> Negligence <input type="checkbox"/> Misdemeanor | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <u>Bivins U. S. Civil Action, W.V.</u> | | <u>Civil Action, U.S.C. 133</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ASSETS | EMPLOYMENT | Are you now employed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Am Self-Employed | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Name and address of employer: _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | IF YES, how much do you earn per month? \$ _____ | | IF NO, give month and year of last employment <u>7 years</u> How much did you earn per month? \$ <u>6.50 Hrsly 1200.</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | If married is your Spouse employed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | IF YES, how much does your Spouse earn per month? \$ _____ | | If a minor under age 21, what is your Parents or Guardian's approximate monthly income? \$ <u>N/A</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| OTHER INCOME | Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY THE SOURCES <u>RECEIVED \$50</u> <u>Sister 9 months Ago</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| CASH | Have you any cash on hand or money in savings or checking accounts? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IF YES, state total amount \$ _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| PROPERTY | Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | IF YES, GIVE THE VALUE AND DESCRIBE IT <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">VALUE</th> <th style="width: 50%;">DESCRIPTION</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </tbody> </table> | | | VALUE | DESCRIPTION | | | | | | | | | | | | | | | | | | | | | | | | | | |
| VALUE | DESCRIPTION | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| OBLIGATIONS & DEBTS | DEPENDENTS <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;">MARITAL STATUS</th> <th style="width: 20%;">Total No. of Dependents</th> <th style="width: 40%;">List persons you actually support and your relationship to them (For names of minors list initials only)</th> </tr> </thead> <tbody> <tr> <td><input checked="" type="checkbox"/> SINGLE</td> <td rowspan="4" style="text-align: center; vertical-align: middle;">2</td> <td><u>Pl. T.</u></td> </tr> <tr> <td><input type="checkbox"/> MARRIED</td> <td><u>M. J.</u></td> </tr> <tr> <td><input type="checkbox"/> WIDOWED</td> <td> </td> </tr> <tr> <td><input type="checkbox"/> SEPARATED OR DIVORCED</td> <td> </td> </tr> </tbody> </table> | | MARITAL STATUS | Total No. of Dependents | List persons you actually support and your relationship to them (For names of minors list initials only) | <input checked="" type="checkbox"/> SINGLE | 2 | <u>Pl. T.</u> | <input type="checkbox"/> MARRIED | <u>M. J.</u> | <input type="checkbox"/> WIDOWED | | <input type="checkbox"/> SEPARATED OR DIVORCED | | DEBTS & MONTHLY BILLS (LIST ALL CREDITORS, INCLUDING BANKS, LOAN COMPANIES, CHARGE ACCOUNTS, ETC.) <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;">CREDITORS</th> <th style="width: 20%;">Total Debt</th> <th style="width: 20%;">Monthly Paymt.</th> </tr> </thead> <tbody> <tr> <td>APARTMENT OR HOME: <u>N/A Right Now</u></td> <td>\$ <u>0</u></td> <td>\$ <u>0</u></td> </tr> <tr> <td>(For home address, list City/State only)</td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> | | CREDITORS | Total Debt | Monthly Paymt. | APARTMENT OR HOME: <u>N/A Right Now</u> | \$ <u>0</u> | \$ <u>0</u> | (For home address, list City/State only) | | | | | | | | |
| | MARITAL STATUS | Total No. of Dependents | List persons you actually support and your relationship to them (For names of minors list initials only) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <input checked="" type="checkbox"/> SINGLE | 2 | <u>Pl. T.</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> MARRIED | <u>M. J.</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> WIDOWED | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> SEPARATED OR DIVORCED | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| CREDITORS | Total Debt | Monthly Paymt. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| APARTMENT OR HOME: <u>N/A Right Now</u> | \$ <u>0</u> | \$ <u>0</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (For home address, list City/State only) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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I certify under penalty of perjury that the foregoing is true and correct. Executed on (date)

11-22-2010SIGNATURE OF DEFENDANT
(OR PERSON REPRESENTED)Mr. Anthony E. Brooks

Form 2.



U.S. Department of Justice

Federal Bureau of Prisons

Beckley Consolidated Legal Center

1600 Industrial Park Road, P.O. Box 1280
Beaver, West Virginia 25813

November 12, 2010

Anthony Brooks
Register No. 56112-083
FCI Beckley
P.O. Box 350
Beaver, WV 25813

1. Investigating Officer Lt. Toney Claims this Final Report is Lacking a Witnesses Statement.
2. "Bureau of Prisons has Falsified this Claim, inmates have Contradictions in there Eyewitness account for the B.O.P. Officer, they're Scared, but

Re: Your Tort Claim No. TRT-MXR-2010-06677 One Eyewitness is not afraid
Mr. Willie Flowers #31242-160
and Video proof, proves claim.

Dear Mr. Brooks:

Your claim has been considered for administrative settlement under the Federal Tort Claims Act, 28 U.S.C. § 2671, *et. seq.*, and authority granted under 28 C.F.R. § 0.172. You claim government liability in the amount of \$200,000.00 for injury that occurred on June 11, 2010, at FCI Beckley. Specifically, you allege that an officer was deliberately indifferent when he released an iron door, severely injuring your big toe on your right foot.

Investigation revealed that on June 11, 2010, you were seen by medical staff for an injury to your toe. You stated that the injury was caused when you opened the door with your left hand and pulled the door across your right great toe, pulling the nail almost off. A bandage was applied after your toe was cleaned with betadine. You were also issued an open cast shoe and advised to follow-up at sick call as needed. On August 10, 2010, you failed to report to Health Services for a follow-up examination on your toe. On October 6, 2010, you failed to report to Health Services again for a follow-up examination on your toe. (Additionally, during the investigation, it was established that inmates were the ones playing around with the door and not the officer.) "Perjury"

Furthermore, you claim that the staff's actions violated your constitutional rights. Constitutional torts are not cognizable under the Federal Tort Claims Act. In FDIC v. Meyer, 114 S. Ct. 996 (1994), the Supreme Court explained that to be actionable under the Tort Claims Act, a claim must allege that the United States would be liable to the claimant as a private person in accordance with the law of the place where the act or omission occurred. Because by definition federal law, not state law, provides the source of liability for a claim alleging the deprivation of a federal constitutional right, the United States has not rendered itself liable under the tort claim provisions for constitutional tort claims.

Medical Record, it have been
seen by staff and X-Rayed twice
I only missed one appointment
because I thought as every Wednesday
there's no Sick call, so I didn't go.

(Perjury)

Based on the above, your claim is denied. This is a final denial of your claim. If you are not satisfied with this determination, you have six months from the date of this letter to bring suit in an appropriate United States District Court, should you wish to do so. *Yes I do.*

Sincerely,



Debbie Stevens
Supervisory Attorney

for:

Michelle T. Fuseyamore
Regional Counsel

"Facts"

1. It's caught on camera the OFFICER "Negligently" "Horse Playing" and Severely injuring my Right Foot.
2. I have an Instant Eye Witness that is not bias and is not affraid of being Shipped because of his testimony, because he's scheduled to go home in December 2010, MR. Willie Flowers #No. 31242-160. This inmate is not Friends With the OFFICER as the two others who told me from the Start of this Civil action, that they, the two other inmates were Scared of being Shipped if they testified against the OFFICER J. White, and they Liked him as an OFFICER. Lastly, the OFFICER Knows he's guilty and did not deny it when I told him I would Seet Civil action. He will not Lie under oath, B.O.P. is guilty.

DIANA Associates

UNIVERSITY OF MARYLAND
RADIOLOGY REPORT

PATIENT NAME: BROOKS ANTHONY
DATE OF BIRTH: 19730624
PATIENT NUMBER: 56112-083
REF. PHYSICIAN:
INSTITUTION NAME: FCI Beckley
EXAM DATE: 2010072113351279733737
EXAM TYPE: LOWER EXTREMITIESFOOT
READING RADIOLOGIST: Sung Han Kim , MD

HISTORY and STUDY COMMENTS

FOOT LAT INJURED RT GREAT TOE 2 WEEKS AGO CONTD PAIN SWELLING

FINDINGS AND CONCLUSION

Abnormal. distracted avulsion ^{fracture} ix of proximal lateral first proximal phalanx

Reply

Close Case

- Could possibly have a partial ligament tear.

Doty Rose PAC
S. Rose PAC
FCI Beckley

DR. J. D. O., CLINICAL DIRECTOR
FCI/FPC BECKLEY
BEAVER, WV

7/28/10

Exhibit A

Discovery

Exhibit A For Evidence of
Foot being severely injured.Bureau of Prisons
Health Services

Medical Duty Status

Had to wear this special
Shoe per medical staff.

Reg #: 56112-083

Inmate Name: BROOKS, ANTHONY EUGENE

Housing Status

☐ confined to the living quarters except ☐ meals ☐ pill line ☐ treatments Exp. Date: _____
☐ on complete bed rest: ☐ bathroom privileges only Exp. Date: _____
☐ cell: ☐ cell on first floor ☐ single cell ☐ lower bunk ☐ airborne infection isolation Exp. Date: _____
☐ other: _____ Exp. Date: _____

Physical Limitation/Restriction

☐ all sports Exp. Date: _____
☐ weightlifting: ☐ upper body ☐ lower body Exp. Date: _____
☐ cardiovascular exercise: ☐ running ☐ jogging ☐ walking ☐ softball Exp. Date: _____
☐ football ☐ basketball ☐ handball ☐ stationary equipment Exp. Date: _____
☐ other: _____ Exp. Date: _____

May have the following equipment in his / her possession:

Equipment

Other

open shoe Rt. foot

Start Date

06/11/2010

End Date

Work Restriction / Limitation:

Cleared for Food Service: No☒ No Restrictions

Shmuck
 H. SHREWSBURY, PA-C
 FCI/FPC BECKLEY

Restraint Restrictions:

☐ cuff only front ☐ no leg irons ☐ no face down position in four-point restraints
☐ no CN gas ☐ no pepper spray
☐ no cuff: ☐ right arm ☐ left arm ☐ right leg ☐ left leg
☐ other: _____ Exp. Date: _____

Comments: N/A *My Name is Anthony E. Brooks 8th Amendment Violator*

Shrewsbury, Hank PA-C

06/11/2010

Health Services Staff

Date

Inmate Name: BROOKS, ANTHONY EUGENEReg #: 56112-083Quarters: A06

1. *Mr. H. E. B. Building Popular - B - Lower, Cell No. #206-1*
 This is the Pass the institution supplied me with after
 one of there "Correctional Officers," Officer J. White
 Nearly severed my Right big toe. This negligence and
 Serious Risk to my person was easily avoidable if the Unit
 Officer was not (Playing) with the Front door. This action
 by the Officer severed my entire toe Nail off and
 seriously cut my Foot wide open, this was very Painful

4th 6th 8th Circuit Case Law, and Supreme Court case Law. See
(4th Circuit) See

"Strickley" v. "Waters," 989, F.2d 1375, 1381 (4th Cir. 1993)
ONE Federal appeals Court has held that,
"Eighth Amendment" Claims must be supported
by "Evidence of a serious or significant
"physical or emotional injury," adding that
if sufficient "Pain" was inflicted to violate
the "Eighth Amendment," that such injury would
Result.

(Supreme Court) See

"Farmer" v. "Brennan," 114 S. Ct. 1970, 1984 (1994) Quote
The harm does not have to be "easily preventable";
"Farmer" v. "Brennan" holds that prison officials must
do what is Reasonable, [Not what is easy].

(6th Cir.) See

"Weeks" v. "Chaboudy," 984, F.2d 185, 187 (6th Cir. 1993)
[A] determination of "deliberate indifference"
does not require proof of intent to harm, or
a detailed inquiry into [the defendants state
of mind]... [The facts established that he,
(the Federal Officer in the instant case)
was undoubtedly "deliberately indifferent".

(8th Cir.) See

"Sher" v. "Engelke," 943 F.2d 921, 924 (8th Cir. 1991)
Evidence of "Fear," "Mental Anguish and Misery" can
also "establish the Requisite" for an "Eighth Amendment
Claim. * I Feared Reprisal or Retaliation after the
Federal Corrections Officer J. White made scary
Comment after the incident when he told me to come
Face him and talk man to man. This added to the
"mental and psychological pain and suffering as I'm also
on Severe "Psych medications for depression.

P.2

Form 4

(6th cir.) See

"Hill" v. "Marshall", 962 F.2d 1209, 1214 (6th cir, 1992)
 The defendant's "failure to do his job... was
 so likely to result in the violation of the
 inmates' Constitutional Rights that we find
 he was "deliberately indifferent"...)

Supreme Court Ruling: See

"Farmer" v. "Brennan", 114 S.Ct. at 1970, 1984 (1994)
 [A civil action] is justified, and you may sue under
 the "Eighth Amendment" for harm that is not
 pending;

"Farmer" said, that serious damage to a prisoners
 future health is actionable also. The harm does
 not have to be "easily preventable"; "Farmer".

"Farmer" holds that prison officials must do
 what is reasonable, [Not what is easy]. In addition,
 "Farmer" specifically noted that it is enough that
 the official acted or fail to act despite
 his or her knowledge of a substantial or serious
 risk of harm, and didn't require proof the
 official acted because of the risk.

Also see, "Deutsch" v. "Federal Bureau of Prisons", 737 F.Supp.
 at 265-66. You can bring a Federal torts claim
 action against the "government" and a United States
 Constitutional claim against the individual federal
 official in the same case.

Also see, "Leibowitz" v. "U.S. Dept. of Justice", 729 F.Supp.
 556, 560 (E.D. of Michigan 1989), aff'd, 914 F.2d
 256 (6th cir, 1990), cert denied, 111 S.Ct. 1589 (1991).
 See, "Norton" v. "U.S.", 581 F.2d 390 (4th cir, 1978), cert
 denied 439 U.S. 1003 (1978) (Federal Statutes provide
 that if the "Tort" was committed within the scope of
 the defendant's employment it must be then converted
 into a F.T.C.A. against the United States of America.)

1. U.S. District Judge
2. Regional Director and Central Office
3. Tort Claim Office

Page 1,
Form 5.

BECDM
PAGE 033

*ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL *
* FULL SCREEN FORMAT *

08-24-2010
13:21:15

REGNO: 56112-083 NAME: BROOKS, ANTHONY
RSP OF...: BEC UNT/LOC/DST: POPLAR
REMEDY ID: 600811-R1 SUB1: 34AM SUB2:
UNT RCV...: POPLAR QTR RCV.: A06-206L
UNT ORG...: POPLAR QTR ORG.: A06-206L
EVT FACL.: BEC ACC LEV:
ABSTRACT.: STAFF HORSEPLAYING AND CAUSED INJURY TO BIG TOE
STATUS DT: 08-02-2010 STATUS CODE: REJ STATUS REASON: IRQ RSR OTH
INCRPTNO.: RCT: EXT: DATE ENTD: 08-02-2010
REMARKS...: RESPONSE IS DUE BY 8-16-2010. YOU NEED A NEW BP10
AVOIDING WRITING ACROSS TOP OF PAGE

QTR.: A06-206L RCV OFC: MXR
DATE RCV: 07-23-2010
FACL RCV: BEC
FACL ORG: BEC

RESP DUE:

G0002

MORE PAGES TO FOLLOW . . .

Judge, as you clearly see this administrative Remedy Request was Filed on 7-23-2010. The Response was due on 8-16-2010 however, the BP 9 Sensitive and BP 10 to the Regional offices was denied for the simple reason of petitioner Fully stating what Really happen to my severely injured and damaged "Big Toe."

The Region Claims I simply wrote over the boundrys of the Form, this obviously has to be a Stall tactic as I Resubmitted both the BP 9 and BP 10 immediately after the Regions Rejection on 8-2-2010. I've still not Recieved a new Reply From the Regional Office and the date is 9-1-2010 I wish to File a "Bivins" v. "Six" Unknown Federal agents of the "Bureau of Prisons" under Civil Action U.S.C. § 1331 a Federal action For "Monetary" and "Punitive" damages to the Relief of \$200,000 dollars $\frac{00}{100}$ For the Claim of "Negligence" by a Federal Official of the "Bureau of Prisons" under (Full) OF Law of the "Federal Government. I swear under Penalty and Perjury that all I attest to is true. So sayeth ~~ME~~ "c 9-1-2010

BECDM
PAGE 034 OF 034 *

*ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL *
FULL SCREEN FORMAT *

08-24-2010
13:21:15

REGNO: 56112-083 NAME: BROOKS, ANTHONY
RSP OF...: BEC UNT/LOC/DST: POPLAR
REMEDY ID: 602369-F1 SUB1: 34AM SUB2:
UNT RCV...: POPLAR QTR RCV.: A06-206L
UNT ORG...: POPLAR QTR ORG.: A06-206L
EVT FACL.: BEC ACC LEV:
ABSTRACT.: STAFF HORSEPLAYING AND CAUSED INJURY TO BIG TOE
STATUS DT: 08-11-2010 STATUS CODE: REJ STATUS REASON: OTH
INCRPTNO.: RCT: EXT: DATE ENTD: 08-11-2010
REMARKS...: FILED A BP10 #600811-R1 AT THE REGIONAL LEV REJECTED
ON 08-02-2010 REQUESTING YOU SUBMIT NEW BP10 AVOID
WRITING ACROSS TOP OF PAGE. SUBMIT BY 08-16-2010

QTR.: A06-206L RGV OFC: BEC
DATE RCV: 08-11-2010
FACL RCV: BEC
FACL ORG: BEC

RESP DUE:

33 REMEDY SUBMISSION(S) SELECTED
TRANSACTION SUCCESSFULLY COMPLETED

G0000

TRANSACTION SUCCESSFULLY COMPLETED

"monetary" and "punitive" Damages of \$ 200,000 dollars ⁰⁰/₁₀₀.
I swear under penalty and Perjury that all I attest to is true
and correct to the best of my memory and recollection Judge.
SO SAYETH, Anthony Eugene Brooks 9-1-2010 N.E. Brooks.
56112-083

1. OFFICER J. White, a Federal Correctional Officer at F. C. I. Beckley acting under the Full Color of the Federal Government did "Negligently" and Willfully with "Laughter" Severely injured my Foot, Specifically my Right "Big toe" by totally Severing my "Entire Big Toe Nail" and Leaving my Foot in a pool of blood When I Removed my Shoe on 6-11-2010
2. OFFICER J. White was on duty at his post at my Unit Where I'm "Anthony Eugene Brooks" is housed. As I made my back from "Recreation" on 6-11-2010 the Federal Officer J. White was "Negligently" "horse Playing" by holding a "huge Iron door" Shut Causing inmates to think this door which is supposed to be open for our Return to the Unit. As I Peeped in the Window, I could see the Officer "Laughing" and "Entertaining" Several inmates who were also Laughing at the Officer "Negligently" holding this huge door Shut. I asked the Officer to Stop Playing around, he did When I tried to open the door a second and third time the Officer Suddenly Lets the door go totally Ripping my Big Toe to Shreds. \$ 200,000

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: BROOKS, Anthony E. 56112-083 PO-P-B-Lower "Beckia"
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST

ON 6-11-2010 OFFICER J. White was on duty as I made my way back from a Recreation move with other inmates. E.O. "White" was "Negligently" "Horse Playing" around trying to impress or entertain several other inmates by "Holding" the "Large Iron" Front door shut, this made inmates think the door was Locked Shut. This door is usually open as we return from "Lunch" and "Rec yard" when I peeped inside and saw OFFICER J. White holding the door shut, I said Stop Playing OFFICER "White," he was laughing.

7-20-2010

DATE

When I again

M. E. Brooks

SIGNATURE OF REQUESTER

Part B- RESPONSE

RECEIVED
AUG 11 2010
BY: Rejection

tried to open the door, it still would not open. However, when I attempted a second and third time, the OFFICER suddenly lets the door go "Ripping" my "Big Toe" to shreds severing my "entire" Big Toe" Nail causing severe pain both physically and mentally. "Psychologically" terrifying me because I knew IF I Filed this "Sensitive 9" I might be Retaliated against by other OFFICERS. J. White saw me from another unit one day and he made a very smart remark.

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

Monetary Damages \$125,000

CASE NUMBER: 602369-F1

CASE NUMBER: _____

Part C- RECEIPT

Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)



REQUEST FOR ADMINISTRATIVE REMEDY

BEC-600811-F1

Your Request for Administrative Remedy received October 13, 2010, alleging staff misconduct, has been reviewed. Specifically, you allege a staff member was horse playing, (holding the door closed to the unit). When the staff member released his hold on the door, the door came open quickly ripping your big toe to shreds and detached your toenail from your toe.

Your allegations of staff's unprofessional behavior are being investigated. Should any further action be necessary, it will be taken; however, staff personnel matters are not subject to inmate review. You will be contacted by an investigator to gather additional information.

To the extent an investigation is being conducted, your request for administrative relief is partially granted. If dissatisfied with this response, you may appeal to the Regional Director, Bureau of Prisons, Mid-Atlantic Region, 302 Sentinel Drive, Suite 200, Annapolis Junction, Maryland 20701, within 20 calendar days of this response.

10/18/10
Date

Joel Ziegler
Joel Ziegler, Warden

P.2

"Deliberate Indifference," Per B.O.P. Policy we
Can Lesson the "Burden" of Civil Action, "Halfway House"
tt

"Federal Correctional Officer" J. White" acting
Under Federal Color of Law Building Pop-B-Low
claim:

ON 6-11-2010, OFFICER WAS ON duty at his post as a
CORRECTIONAL OFFICER at F.C.I. Beckley Specifically Bld.
popular-B-Lower. As I made my way back from the
Recreation yard, I could see an inmate trying to
open a very large "Iron door" which is supposedly and
normally open for our return from recreational yard
When I approached the door and peeped in the
glass window, I could see OFFICER "J. White" holding
the door intentionally and deliberately while "Laughing"
and "Entertaining" several inmates. I ask the OFFICER
to stop playing around, OFFICER J. White continued to laugh
and hold the door, he wouldn't let go. When I tried to
open the door a second and third time the OFFICER
suddenly lets the door go "Ripping" my "Big Toe" to shreds
and detaching my entire "Big Toe" nail and maiming my
foot severely, blood was everywhere. "I have witnesses".

OFFICER J. White initially laughed before I took off my
shoe and he and all the other inmates saw the blood,
the bottom of the door had nearly tore my "Right Big Toe"
off leaving a "Fracture" in my foot and ligament damage
by X-Rays from the "University of Maryland Hospital" and
"DR. Kim Sun" and a X-Ray Technician who read the X-Rays.
My "Big Toe" became infected and MR. Rose in medical had
to prescribe "Amoxicillin" to cure the infection and pain.

"Relief Sought"

1. "Immediate Halfway House" as I'm scheduled to leave in
February, I'm requesting my "Halfway House" is extended for
I'm "Homeless", no family support system, no letters and no
phone calls, I've been indigent for nearly a year. I need
the extra 90 days to adjust Sir or Mam respectfully, MR. Hamric
and Asst. Warden Harmon knows this. Lastly a negotiable punitive
and monetary cash settlement \$80,000 and not the initial \$200,000

U.S. DEPARTMENT OF JUSTICE
Federal Bureau of Prisons

REQUEST FOR ADMINISTRATIVE REMEDY

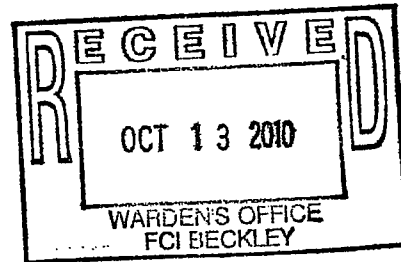
Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: BROOKS, Anthony E 56112-083 Pop-B-Lower Beckley
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST

Per Request From the Central Office in Washington, D.C. For Warden Harmon to Mr. Hamrick. They contacted the necessary staff and authorities here at the prison to expect this BP-9. To Lesson the burden of a pending civil action where Officer J. White while horse playing at the front door of my unit "Negligently" while holding the door and playing he nearly tore my "Big Toe" off. X-Rays show a fracture and ligament damage. I've asked for immediate half-way house and punitive and monetary damages of 10-7-2010 (80,000 Negotiable) H.E. Brooks
DATE SIGNATURE OF REQUESTER
Tort Claim in Process.

Part B- RESPONSE



DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 600811-RI

CASE NUMBER: 600811-RI

Part C- RECEIPT

Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)



United States District Court

Southern District of West Virginia

Form 6.

Anthony Eugene Brooks;
Petitioner,

United States of America; Et. AL;

J. White, Federal Corrections Officer,
F. C. I. "Beckley"

D. Berkebile, Warden, F. C. I. Beckley
Federal Bureau of Prisons

Attorney General, State of W. VA.

CASE NO. _____

To Be Applied by
Court Clerk

Discovery "Motion" For 6-11-2010 Video Tape and
For "Discovery" and "Evidentiary Hearing" X-Rays Pictures

Comes Now, Petitioner "Anthony Eugene Brooks" with the utmost respect for this "Honorable" Court, "Brooks" pleads to have the Court grant an "Evidentiary Hearing" where the "Discovery" of Exhibit B the pictures taken by Lt. Boardway by way of the Associate Wardens Request and the S.I. Captains order. Also inmates who witnessed the act in question where the Corrections Officer J. White with "deliberate Indifference" and "Negligence" severely maimed my foot with an heavy Iron door on 6-11-2010. Inmates in cells B-226 and B-231 witnessed this and are significant parts of my "Discovery." I swear under penalty and perjury that all I attest to is true.
M. E. Brooks

**INSTRUCTIONS FOR FILING A COMPLAINT BY A
PRISONER UNDER CIVIL RIGHTS ACT, 42 U.S.C. § 1983**

NOTICE: The law has changed! The Prisoners Litigation Reform Act requires prisoners to exhaust available administrative remedies before filing a suit with respect to the conditions of confinement or the effects of action by government officials on the lives of persons confined in prison. In addition, the Act requires a prisoner to pay a **\$350.00 filing fee**, although the fee may be paid in installments.

These forms are not to be used for filing a Petition for Writ or Habeas Corpus, or to challenge the validity of a state conviction for a criminal offense.

Enclosed are four copies of a Complaint form with one Application to Proceed In Forma Pauperis and Affidavit, an Explanation of Filing Fees and Proceeding In Forma Pauperis, an Authorization to Release Institutional Account Information and To Pay Filing Fee, and three U. S. Marshal Process and Receipt Forms.

1. Your Complaint can be brought in this Court only if one or more of the named defendants are located within the Southern District of West Virginia (counties south of and including Wood, Wirt, Roane, Clay, Nicholas and Greenbrier), or if your claim arose in this District. Further, you must file a separate complaint for each claim that you have unless they are all related to the same incident or issue.
2. You must file an original complaint plus one copy of the complaint for each defendant you name. Use 8-1/2 X 11 inch paper. For example, if you name two defendants, you must file the original and two copies of the complaint. You should also keep an additional copy of the complaint for your own records. All copies of the complaint must be identical to the original. The original complaint must bear an original signature from each plaintiff. Your complaint must be legibly written or typewritten and you are required to give facts. **THE COMPLAINT SHOULD NOT CONTAIN LEGAL ARGUMENTS OR CITATIONS.** The plaintiff or plaintiffs must include his/her inmate registration number. If you need additional space to answer a question, you may use the reverse side of the form or an additional blank page.
3. If you have **\$350.00**, send a check or money order for **\$350.00** per complaint payable to "Clerk, U. S. District Court". If you are unable to pay the **\$350.00** filing fee, complete and sign an Application to Proceed in Forma Pauperis and Affidavit for each plaintiff (see Explanation of Filing Fees and Proceeding In Forma Pauperis).
4. Complete and sign one U. S. Marshal Process and Receipt Form for each defendant named in the complaint.
5. When all these forms are completed, mail them to:
Clerk, United States District Court
110 North Heber Street, Room 119
Beckley, WV 25801
6. Documents certified as true under penalty of perjury do not need to be notarized.
See 28 U.S.C. § 1746.

Form 7,

Remedy

REJECTION NOTICE - ADMINISTRATIVE REMEDY

DATE: AUGUST 11, 2010

FROM: *8/11/10, Admin Remedy Clerk*
ADMINISTRATIVE REMEDY COORDINATOR
BECKLEY FCI

TO : ANTHONY EUGENE BROOKS, 56112-083
BECKLEY FCI UNT: POPLAR QTR: A06-206L
P.O. BOX 1280
BEAVER, WV 25813

FOR THE REASONS LISTED BELOW, THIS ADMINISTRATIVE REMEDY REQUEST IS BEING REJECTED AND RETURNED TO YOU. YOU SHOULD INCLUDE A COPY OF THIS NOTICE WITH ANY FUTURE CORRESPONDENCE REGARDING THE REJECTION.

REMEDY ID : 602369-F1 ADMINISTRATIVE REMEDY REQUEST
DATE RECEIVED : AUGUST 11, 2010
SUBJECT 1 : UNPROFESSIONAL, INAPPROPRIATE CONDUCT OR MISCONDUCT BY STAFF
SUBJECT 2 :
INCIDENT RPT NO:

REJECT REASON 1: SEE REMARKS.

REMARKS : FILED A BP10 #600811-R1 AT THE REGIONAL LEV REJECTED
ON 08-02-2010 REQUESTING YOU SUBMIT NEW BP10 AVOID
WRITING ACROSS TOP OF PAGE. SUBMIT BY 08-16-2010 *to region.*

BECG1 *ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL * 08-06-2010
PAGE 033 OF 033 * FULL SCREEN FORMAT * 13:20:10

REGNO: 56112-083 NAME: BROOKS, ANTHONY
RSP OF...: BEC UNT/LOC/DST: POPLAR QTR.: A06-206L RCV OFC: MXR
REMEDY ID: 600811-R1 SUB1: 34AM SUB2: DATE RCV: 07-23-2010
UNT RCV...: POPLAR QTR RCV.: A06-206L FACL RCV: BEC
UNT ORG...: POPLAR QTR ORG.: A06-206L FACL ORG: BEC
EVT FACL.: BEC ACC LEV: RESP DUE:
ABSTRACT..: STAFF HORSEPLAYING AND CAUSED INJURY TO BIG TOE
STATUS DT: 08-02-2010 STATUS CODE: REJ STATUS REASON: IRQ RSR OTH
INCRPTNO..: RCT: EXT: DATE ENTD: 08-02-2010
REMARKS...: RESPONSE IS DUE BY 8-16-2010. YOU NEED A NEW BP10
AVOIDING WRITING ACROSS TOP OF PAGE

G0000

32 REMEDY SUBMISSION(S) SELECTED
TRANSACTION SUCCESSFULLY COMPLETED

EOD → 12/5/95

BECDM
PAGE 035

*ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL *
* FULL SCREEN FORMAT *

10-06-2010
13:44:40

REGNO: 56112-083 NAME: BROOKS, ANTHONY
RSP OF...: BEC UNT/LOC/DST: POPLAR QTR.: A06-206L RCV OFC: MXR
REMEDY ID: 602369-R1 SUB1: 34AM SUB2: DATE RCV: 08-31-2010
UNT RCV...: POPLAR QTR RCV.: A06-206L FACL RCV: BEC
UNT ORG...: POPLAR QTR ORG.: A06-206L FACL ORG: BEC
EVT FACL.: BEC ACC LEV: RESP DUE:
ABSTRACT.: STAFF HORSEPLAYING AND CAUSED INJURY TO BIG TOE
STATUS DT: 09-03-2010 STATUS CODE: REJ STATUS REASON: OTH
INCRPTNO.: RCT: EXT: DATE ENTD: 09-03-2010
REMARKS...: U NEED TO SUBMIT CORRECTION FOR REMEDY #600811-R1.
(SEEK GUIDANCE W/UNIT TEAM, THEY NEED TO VOID THE
ABOVE REMEDY AND REFER TO #600811 FOR FUTURE FILING)

*I've already Resubmitted both the BP9 and BP10
as directed here with the New Remedy No. #600811, also the
BP-11 the corrections were made, now they're Requesting I do it
all over again, this is the same stall tactic ~~applied~~ applied
at the beginning of this process at the BP-9 and BP-10 Levels.*

*I'm not Failing for this all over again, I'm Filing this
"Negligence" Claim to a U.S. District Court in VA. Virginia,*

Respectfully Submitted by

*Petitioner, Anthony Eugene Brooks; #56112-083
V.*

United States of America;

A. E. Brooks 10-6-2010

BECDM *ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL * 10-06-2010
 PAGE 036 OF 036 * FULL SCREEN FORMAT * 13:44:40

REGNO: 56112-083 NAME: BROOKS, ANTHONY
 RSP OF...: BEC UNT/LOC/DST: POPLAR QTR.: A06-206L RCV OFC: BOP
 REMEDY ID: 600811-A1 SUB1: 34AM SUB2: DATE RCV: 09-08-2010
 UNT RCV...: POPLAR QTR RCV.: A06-206L FACL RCV: BEC
 UNT ORG...: POPLAR QTR ORG.: A06-206L FACL ORG: BEC
 EVT FACL.: BEC ACC LEV: RESP DUE:
 ABSTRACT.: STAFF HORSEPLAYING AND CAUSED INJURY TO BIG TOE
 STATUS DT: 10-06-2010 STATUS CODE: REJ STATUS REASON: INS OTH
 INCRPTNO.: RCT: EXT: DATE ENTD: 10-06-2010
 REMARKS...: YOU NEED TO RE-FILE THIS APPEAL AT THE INSTITUTION
 LEVEL UNDER NUMBER 600811. INSTITUTION STAFF HAVE
 BEEN NOTIFIED OF THIS.

*Brooks V. United States of America
 Southern District of West Virginia, Jurisdiction.*

G0000 35 REMEDY SUBMISSION(S) SELECTED
 TRANSACTION SUCCESSFULLY COMPLETED *Statement by H.E.B. 10-6-2010*

I've Successfully Completed the Sensitive BP-9 at the Institutional Level, I've also Completed the BP-10 to the Regional Office where that office advised me to Refer to the above new Remedy Number # (600811-A1) for all Future Filings, meaning to the Central Office. Now that I've Completed my entire Remedy process, the BP-9, BP-10, and BP-11, the Central Office now wants me to Start this process all over again. I've already Submitted my "Federal Tort Claim Action" to the proper authorities. This action Started 6-11-2010 when the "Federal Official" acting under Color of the Federal Government "Negligently" with "deliberate indifference," "maimed, Fractured and Caused Legiment damage to my Foot, Specific, Right Big Toe. H.E.B.

U.S. Department of Justice

Regional Administrative Remedy Appeal

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: BROOKS Anthony, Eugene # 56112-083 Pop-B-L Buckley
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL ON 6-11-2010 OFFICER J. White was on duty at his assigned post at Popular-B-Lower. As I made my way back from Recreation with other inmates, OFFICER J. White was "Negligently" "Horse Playing" around trying to entertain or impress several other inmates by "Negligently" holding this huge iron door in front of unit OFFICER J. White was holding this door causing inmates to think the door was locked or jammed, this is suppose to be open at this time. As I peeped in the door window, I could see it was the officer "Horse Playing" and holding the door, I told him to let the door alone. When I attempted to open the door, it still would not open, however when I tried to open the door a second and third time the OFFICER suddenly
9-3-2010 Lets the door go Ripping my Big Toe M.E. Brooks
DATE Punitive to Scheeds blood was everywhere monetary SIGNATURE OF REQUESTER 200,000%

Part B - RESPONSE

B.P. 9 Copy

DATE

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

REGIONAL DIRECTOR

P.2 Continued

CASE NUMBER: 600811-R1

Part C - RECEIPT

CASE NUMBER: _____

Return to: _____
LAST NAME FIRST MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

U.S. Department of Justice

Central Office Administrative Remedy Appeal

P.3

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy each of the completed BP-229(13) and BP-230(13), including any attachments must be submitted with this appeal.

From: BROOKS, Anthony Eugene #56112-083 Pop-B-Lower F.C.T. Beckly
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL

Dear Central Office, I've submitted this action twice, my next venue is the U.S. District Judge Irene C. Berger of West Virginia. The Regional Office is stalling in hope that my "Bivins" v. Six Civil Action for \$200,000 expires. A Corrections Officer J. White while "Negligently" playing with an iron heavy door and entertaining several inmates by holding the door shut making other inmates believe the door was locked or secured. When I peeped in the window and saw the officer holding the door and laughing, I said stop playing with the door. The officer still held the door, when I tried a second and third time to open the door, the officer suddenly lets the door go ripping my toe to shreds.

9-1-2010
 DATE

M.E. Brooks
 SIGNATURE OF REQUESTER

Part B - RESPONSE

B.P. 10 Copy

DATE

GENERAL COUNSEL

ORIGINAL: RETURN TO INMATE

CASE NUMBER: _____

Part C - RECEIPT

CASE NUMBER: _____

Return to: _____

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT: _____

DATE

SIGNATURE OF RECIPIENT OF CENTRAL OFFICE APPEAL

BP-231(13)

Case 5:10-cv-01348 Document 1 Filed 11/30/10 Page 2 of 50 PageID #: 177
Respectfully, medical Stop Caring For my Tug, open around, it
NOW Looks to be infected with yellow fluid coming out. ^{monetary} ^{punitive} ^{Damages.}
\$ 125,000

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: BROOKS, Anthony E. #56112-083 Pop-B-Low "Beckley"
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL

ON 6-11-2010 OFFICER J. White was on duty as I made my way back from "Recreation" with other inmates. OFFICER J. White was "HORSE PLAYING" around trying to "entertain" or "impress" several inmates by holding the door shut making inmates believe the door was locked or jammed. As I peeped in the window I could see it was C.O. White holding this "Huge Iron" door shut. When I attempted to open the door, it wouldn't open at all. However, when I attempted a second and then third time, OFFICER J. White suddenly releases the door 7-21-2010 (ripping my "Big Toe" to shreds.) M.E. Brooks
DATE SIGNATURE OF REQUESTER

Part B - RESPONSE

RECEIVED

Bureau of Prisons
MARO Regional Counsel

DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 600811-R1

Part C - RECEIPT

CASE NUMBER: _____

Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

DATE

SIGNATURE, RECIPIENT OF REGIONAL APPEAL



Remedy

Form 8.

REJECTION NOTICE - ADMINISTRATIVE REMEDY

DATE: OCTOBER 6, 2010

FROM: ADMINISTRATIVE REMEDY COORDINATOR
CENTRAL OFFICE

TO : ANTHONY EUGENE BROOKS, 56112-083
BECKLEY FCI UNT: POPULAR QTR: A06-206L
P.O. BOX 1280
BEAVER, WV 25813

FOR THE REASONS LISTED BELOW, THIS CENTRAL OFFICE APPEAL
IS BEING REJECTED AND RETURNED TO YOU. YOU SHOULD INCLUDE A COPY
OF THIS NOTICE WITH ANY FUTURE CORRESPONDENCE REGARDING THE REJECTION.

REMEDY ID : 600811-A1 CENTRAL OFFICE APPEAL
DATE RECEIVED : SEPTEMBER 8, 2010
SUBJECT 1 : UNPROFESSIONAL, INAPPROPRIATE CONDUCT OR MISCONDUCT BY STAFF
SUBJECT 2 :
INCIDENT RPT NO:

REJECT REASON 1: YOU MUST FIRST FILE A BP-9 REQUEST THROUGH THE INSTITUTION
FOR THE WARDEN'S REVIEW AND RESPONSE BEFORE FILING AN APPEAL
AT THIS LEVEL.

REJECT REASON 2: SEE REMARKS.

REMARKS : YOU NEED TO RE-FILE THIS APPEAL AT THE INSTITUTION
LEVEL UNDER NUMBER 600811. INSTITUTION STAFF HAVE
BEEN NOTIFIED OF THIS.

1. Copies to: U.S. District Judge ✓
2. Regional Director ✓
3. Regional Director ✓
4. Tort Claim Office, my Extra Copy. ✓

BECDM
PAGE 033

*ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL *
* FULL SCREEN FORMAT *

08-24-2010
13:21:15

REGNO: 56112-083 NAME: BROOKS, ANTHONY
RSP OF...: BEC UNT/LOC/DST: POPLAR
REMEDY ID: 600811-R1 SUB1: 34AM SUB2:
UNT RCV...: POPLAR QTR RCV.: A06-206L
UNT ORG...: POPLAR QTR ORG.: A06-206L
EVT FACL.: BEC ACC LEV:
ABSTRACT.: STAFF HORSEPLAYING AND CAUSED INJURY TO BIG TOE
STATUS DT: 08-02-2010 STATUS CODE: REJ STATUS REASON: IRQ RSR OTH
INCRPTNO.: RCT: EXT: DATE ENTD: 08-02-2010
REMARKS...: RESPONSE IS DUE BY 8-16-2010. YOU NEED A NEW BP10
AVOIDING WRITING ACROSS TOP OF PAGE

QTR.: A06-206L RCV OFC: MXR
DATE RCV: 07-23-2010
FACI RCV: BEC
FACI ORG: BEC
RESP DUE:

G0002

MORE PAGES TO FOLLOW . . .

Judge, as you clearly see this administrative remedy request was filed on 7-23-2010. The response was due on 8-16-2010 however, the BP 9 sensitive and BP 10 to the Regional offices was denied for the simple reason of petitioner fully stating what really happen to my severely injured and damaged "Big Toe."

The Region claims I simply wrote over the boundaries of the form, this obviously has to be a stall tactic as I resubmitted both the BP 9 and BP 10 immediately after the Regions rejection on 8-2-2010. I've still not received a new reply from the Regional office and the date is 9-1-2010. I wish to file a "Bivins" v. "Six" unknown Federal agents of the "Bureau of Prisons" under Civil Action U.S.C. § 1331 a Federal action for "monetary" and "punitive" damages to the relief of \$200,000 dollars $\frac{00}{100}$ for the claim of "Negligence" by a Federal official of the "Bureau of Prisons" under (Full) color of law of the "Federal Government." I swear under penalty and perjury that all I attest to is true. So Sayeth I, Anthony E. Brooks N.E.D. 9-1-20.

BECDM
PAGE 034 OF 034 *

*ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL *
FULL SCREEN FORMAT *

08-24-2010
13:21:15

REGNO: 56112-083 NAME: BROOKS, ANTHONY
RSP OF...: BEC UNT/LOC/DST: POPLAR
REMEDY ID: 602369-F1 SUB1: 34AM SUB2:
UNT RCV...: POPLAR QTR RCV.: A06-206L
UNT ORG...: POPLAR QTR ORG.: A06-206L

QTR.: A06-206L RCV OFC: BEC
DATE RCV: 08-11-2010
FACL RCV: BEC
FACL ORG: BEC

EVT FACL.: BEC ACC LEV:
ABSTRACT.: STAFF HORSEPLAYING AND CAUSED INJURY TO BIG TOE
STATUS DT: 08-11-2010 STATUS CODE: REJ STATUS REASON: OTH
INCRPTNO.: RCT: EXT: DATE ENTD: 08-11-2010
REMARKS...: FILED A BP10 #600811-R1 AT THE REGIONAL LEV REJECTED
ON 08-02-2010 REQUESTING YOU SUBMIT NEW BP10 AVOID
WRITING ACROSS TOP OF PAGE. SUBMIT BY 08-16-2010

"Monetary" and "Punitive" Damages of \$ 200,000 dollars ⁰⁰/₁₀₀.

I Swear Under Penalty and Perjury that all I attest to is true
and correct to the best of my memory and recollection Judge.

SO Sayeth I, Anthony Eugene Brooks 9-1-2010 H.E. Brooks.

G0000

33 REMEDY SUBMISSION(S) SELECTED
TRANSACTION SUCCESSFULLY COMPLETED

56112-083

1. Officer "J. White," a "Federal Correctional Officer" at
F. C. I. Beckley acting under the "Full Color of the Federal
Government" did "Negligently" and "Willfully" with "Laughter"
Severely injured my Foot, specifically my Right "Big toe" by
totally severing my "Entire" Big Toe Nail, and Leaving my Foot
in a pool of blood when I removed my shoe on 6-11-2010

2. Officer "J. White" was on duty at his post at my
unit where I'm "Anthony Eugene Brooks" is housed. As I made my
(back) From "Recreation" on 6-11-2010 the Federal officer "J. White"
was "Negligently" "horse playing" by holding a "huge Iron door" shut,
causing inmates to think this door which is supposed to be open
for our return to the unit. As I peeped in the window, I
could see the officer "laughing" and "entertaining" several inmates
who were also laughing at the officer "negligently" holding this
huge door shut. I asked the officer to stop playing around, he did.
When I tried to open the door a second and third time, the
officer suddenly lets the door go totally ripping my
Big Toe to shreds. \$ 200,000 dollars.

P.3

U.S. Department of Justice

Central Office Administrative Remedy Appeal

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy each of the completed BP-229(13) and BP-230(13), including any attachments must be submitted with this appeal.

From: BROOKS, Anthony Eugene # 56112-083 Pop-B-Lower F.I.I. Beckly
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL

Dear Central Office, I've Submitted this action twice, my next Venue is the U.S. District Judge Irene E. Berger of West Virginia. The Regional Office is Stalling in hope that my "Bivins" U.S. Civil Action For \$200,000 expires. A Corrections Officer J. White While "Negligently" Playing With an Iron heavy door and Entertaining Several inmates by holding the door shut making other inmates believe the door was Locked OR Secured. When I Peeped in the Window and saw the Officer holding the door and Laughing, I Said Stop playing with the door. The Officer still held the door, When I tried a second and third time to open the door, the Officer suddenly lets the door go Ripping my toe to Shreds

9-1-2010
DATE

A.E. Brooks
SIGNATURE OF REQUESTER

Part B - RESPONSE

RECEIVED

SEP 8 2010

Administrative Remedy Section
 Federal Bureau of Prisons

DATE

GENERAL COUNSEL

ORIGINAL: RETURN TO INMATE

CASE NUMBER: _____

Part C - RECEIPT

CASE NUMBER: _____

Return to: _____

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT: _____

DATE

SIGNATURE OF RECIPIENT OF CENTRAL OFFICE APPEAL

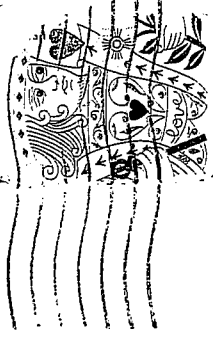
USP LVN



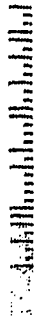
PRINTED ON RECYCLED PAPER

BP-231(13)
 JUNE 2002

Anthony E. Brookes #56442-083
Federal Connections Inst. Very Important Documents
(Beckley) Enclosed For Director
P.O. Box 350
Beaver, WV, 25813



Federal Bureau of Prisons
Central Offices
320 - First Street, N.W.
Washington, D.C. 20534



Form 9.

Remedy

RECEIPT - ADMINISTRATIVE REMEDY

DATE: OCTOBER 14, 2010

FROM: ADMINISTRATIVE REMEDY COORDINATOR
BECKLEY FCI

TO : ANTHONY EUGENE BROOKS, 56112-083
BECKLEY FCI UNT: POPLAR QTR: A06-206L

THIS ACKNOWLEDGES THE RECEIPT OF THE ADMINISTRATIVE REMEDY REQUEST
IDENTIFIED BELOW:

REMEDY ID : 600811-F1
DATE RECEIVED : OCTOBER 13, 2010
RESPONSE DUE : NOVEMBER 2, 2010
SUBJECT 1 : UNPROFESSIONAL, INAPPROPRIATE CONDUCT OR MISCONDUCT BY STAFF
SUBJECT 2 :
INCIDENT RPT NO:

Form 10.

Remedy

REJECTION NOTICE - ADMINISTRATIVE REMEDY

DATE: OCTOBER 14, 2010

FROM: ADMINISTRATIVE REMEDY COORDINATOR
CENTRAL OFFICE

TO : ANTHONY EUGENE BROOKS, 56112-083
BECKLEY FCI UNT: POPLAR QTR: A06-206L
P.O. BOX 1280
BEAVER, WV 25813

FOR THE REASONS LISTED BELOW, THIS CENTRAL OFFICE APPEAL IS BEING REJECTED AND RETURNED TO YOU. YOU SHOULD INCLUDE A COPY OF THIS NOTICE WITH ANY FUTURE CORRESPONDENCE REGARDING THE REJECTION.

REMEDY ID : 600811-A2 CENTRAL OFFICE APPEAL
DATE RECEIVED : SEPTEMBER 21, 2010
SUBJECT 1 : UNPROFESSIONAL, INAPPROPRIATE CONDUCT OR MISCONDUCT BY STAFF
SUBJECT 2 :
INCIDENT RPT NO:

REJECT REASON 1: YOU SUBMITTED YOUR REQUEST OR APPEAL TO THE
WRONG LEVEL. YOU SHOULD HAVE FILED AT THE
INSTITUTION REGIONAL OFFICE, OR CENTRAL
OFFICE LEVEL.

REJECT REASON 2: YOU MUST FIRST FILE A BP-9 REQUEST THROUGH THE INSTITUTION
FOR THE WARDEN'S REVIEW AND RESPONSE BEFORE FILING AN APPEAL
AT THIS LEVEL.

REJECT REASON 3: SEE REMARKS.

REMARKS : YOU NEED TO RE-FILE THIS APPEAL AT THE INSTITUTION
LEVEL UNDER NUMBER 600811. INSTITUTION STAFF HAVE
BEEN NOTIFIED OF THIS.

PROOF OF Filing B.P. 11 to Central
Office post marked Letter and
Envelope on back page, Flip Over
on back.

REJECTION NOTICE - ADMINISTRATIVE REMEDY

DATE: SEPTEMBER 7, 2010

FROM: ADMINISTRATIVE REMEDY COORDINATOR
MID-ATLANTIC REGIONAL OFFICE

TO : ANTHONY EUGENE BROOKS, 56112-083
BECKLEY FCI UNT: POPLAR QTR: A06-206L
P.O. BOX 1280
BEAVER, WV 25813

RECEIVED

SEP 8 2010

Administrative Remedies
Federal Bureau of Investigation

FOR THE REASONS LISTED BELOW; THIS REGIONAL APPEAL
IS BEING REJECTED AND RETURNED TO YOU. YOU SHOULD INCLUDE A COPY
OF THIS NOTICE WITH ANY FUTURE CORRESPONDENCE REGARDING THE REJECTION.

REMEDY ID : 602369-R1 REGIONAL APPEAL
DATE RECEIVED : AUGUST 31, 2010
SUBJECT 1 : UNPROFESSIONAL, INAPPROPRIATE CONDUCT OR MISCONDUCT BY STAFF
SUBJECT 2 :
INCIDENT RPT NO:

REJECT REASON 1: SEE REMARKS.

REMARKS : U NEED TO SUBMIT CORRECTION FOR REMEDY #600811-R1.
SEEK GUIDANCE W/UNIT TEAM, THEY NEED TO VOID THE
ABOVE REMEDY AND REFER TO #600811 FOR FUTURE FILING

*This BP 9 and BP10 Response Needs
to be sent back to Petitioner "Brooks"
along with my newly submitted BP11
Which you already have in your Central
Office dated 9-1-2010.
My Next Level is the Federal "Brt Claim"
and then the United States District Court
Southern District of West Virginia.
Chief Judge Goodwin or U.S. District Judges
"Judge Berger"
"Judge Johnston" Respectfully. A.E. Brooks 9-12-2010
Thursday Evening.*

REJECTION NOTICE - ADMINISTRATIVE REMEDY

DATE: AUGUST 2, 2010

FROM: ADMINISTRATIVE REMEDY COORDINATOR
MID-ATLANTIC REGIONAL OFFICE

TO : ANTHONY EUGENE BROOKS, 56112-083
BECKLEY FCI UNT: POPLAR QTR: A06-206L
P.O. BOX 1280
BEAVER, WV 25813

FOR THE REASONS LISTED BELOW, THIS REGIONAL APPEAL
IS BEING REJECTED AND RETURNED TO YOU. YOU SHOULD INCLUDE A COPY
OF THIS NOTICE WITH ANY FUTURE CORRESPONDENCE REGARDING THE REJECTION.

REMEDY ID : 600811-R1 REGIONAL APPEAL
DATE RECEIVED : JULY 23, 2010
SUBJECT 1 : UNPROFESSIONAL, INAPPROPRIATE CONDUCT OR MISCONDUCT BY STAFF
SUBJECT 2 :
INCIDENT RPT NO:

REJECT REASON 1: YOU DID NOT PROVIDE A COPY OF YOUR INSTITUTION
ADMINISTRATIVE REMEDY REQUEST (BP-9) FORM OR A COPY
OF THE (BP-09) RESPONSE FROM THE WARDEN.

REJECT REASON 2: YOU MAY RESUBMIT YOUR APPEAL IN PROPER FORM WITHIN
10 DAYS OF THE DATE OF THIS REJECTION NOTICE.

REJECT REASON 3: SEE REMARKS.

REMARKS : RESPONSE IS DUE BY 8-16-2010. YOU NEED A NEW BP10
AVOIDING WRITING ACROSS TOP OF PAGE

UNICOR FEDERAL PRISON INDUSTRIES, INC.
LEAVENWORTH, KANSAS

U.S. DEPARTMENT OF JUSTICE
Federal Bureau of Prisons

REQUEST FOR ADMINISTRATIVE REMEDY

Sensitive Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: BROOKS, Anthony E 56112-023 Pop-Blower Beckley
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST

Sensitive 9

ON 6-11-2010 OFFICER J. White an OFFICER FOR the Bureau OF Prisons, While acting under Federal Color OF Law Was "Careless" and "Negligent" When he purposely held a Iron door in front OF the unit While Laughing, Toking and trying to envoke the amusement OF other inmates on my behalf. The officer held this door as I Looked in the window and Clearly saw him holding the door When I tried to open the door and told the OFFICER to stop "Playing," When I then tried to open the door a second and third time, J. White Suddenly Releases the door Ripping my "Big Toe" to Shreds, blood was

8-16-2010

DATE

EVERYWHERE

punitive, monetary Damages \$ 500,000

SIGNATURE OF REQUESTER

M.E. Brooks

Part B- RESPONSE

RECEIVED

6-11-2010
MAR 1 2011

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 600811-RL

CASE NUMBER: _____

Part C- RECEIPT

Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)

USP LVN



PRINTED ON RECYCLED PAPER

BP-229(13)
APRIL 1982

U.S. Department of Justice

Regional Administrative Remedy Appeal

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: BROOKES Anthony E. 56112-083 Pcp-B-Lower "Beckley"
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL

ON 6-11-2010 OFFICER J. White acting under Federal Color OF Law for the "Bureau OF Prisons". As I Brookes made my way back from the Recreation yard with other inmates, OFFICER J. White was "Negligently" horseplayin around trying to impress several inmates by holding this big Ikon door shut making inmates think the door was Locked or Jammed. When I Looked inside the Window I could see OFFICER J. White holding the door laughing. When I tried to open the door a second and third time OFFICER White suddenly releases the door totally Ripping my 8-17-2010 Big toe to Shreds. The Brookes
DATE Punitive, monetary Damages \$200,000 SIGNATURE OF REQUESTER

Part B - RESPONSE

RECEIVED

SEP 1 2010

Adm. Serv. Div. / Pen. Serv. Div.
FBI/DOJ

RECEIVED

FBI/DOJ

DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER:

600811-R1

Part C - RECEIPT

CASE NUMBER:

Return to:

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT:

DATE

SIGNATURE, RECIPIENT OF REGIONAL APPEAL



BECDM *ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL * 09-03-2010
PAGE 035 OF 035 * FULL SCREEN FORMAT * 13:28:21

REGNO: 56112-083 NAME: BROOKS, ANTHONY
RSP OF...: BEC UNT/LOC/DST: POPLAR QTR.: A06-206L RCV OFC: MXR
REMEDY ID: 602369-R1 SUB1: 34AM SUB2: DATE RCV: 08-31-2010
UNT RCV...: POPLAR QTR RCV.: A06-206L FACI RCV: BEC
UNT ORG...: POPLAR QTR ORG.: A06-206L FACI ORG: BEC
EVT FACI...: BEC ACC LEV: RESP DUE:
ABSTRACT...: STAFF HORSEPLAYING AND CAUSED INJURY TO BIG TOE
STATUS DT: 09-03-2010 STATUS CODE: REJ STATUS REASON: OTH
INCRPTNO...: RCT: EXT: DATE ENTD: 09-03-2010
REMARKS...: U NEED TO SUBMIT CORRECTION FOR REMEDY #600811-R1.
SEEK GUIDANCE W/UNIT TEAM, THEY NEED TO VOID THE
ABOVE REMEDY AND REFER TO #600811 FOR FUTURE FILING

Per Request From Counselor Mr. Davis Popular B-Lower, Cell-B206

~~Anthony Eugene Brooks~~ #56112-083
M.E. Brooks 9-3-2010

G0000

34 REMEDY SUBMISSION(S) SELECTED
TRANSACTION SUCCESSFULLY COMPLETED

Judge, Now the Bureau of Prisons wants me to start this process all over again, I've submitted this BP10 twice already. The initial BP10 was rejected for the simple fact that I wrote in detail all of the facts to the corrections officer J. White "Negligently" while "Horse playing" ripped my "Big Toe" to shreds and fracturing a bone in my foot causing legiment damage also to my foot.

Now that I've resubmitted this BP10 for a second time, the correct way, however, now B.O.P. wants to start this whole process all over for a third time. Judge this is a stall tactic because I've already went to the next level to the Central Office on 9-1-2010 by Bureau of Prisons Policy if no response by due date, then proceed to the next level which I have by way of BP11 to Central Office in D.C.
M.E. Brooks 9-3-2010

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: BROOKS, Anthony E. # 56112-083 Pop-B-Low F.C.I. Beckley
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL

ON 6-11-2010 a Federal Correctional Officer J. White at F.C.I. Beckley while "Negligently" "Horse Playing" around with the Huge Iron Front door, the Officer totally Ripped my Big Toe to Shreds. My entire "Big Toe" was tore OFF and a X-Ray Shows a "Fractured bone in my Foot and Legiment Damage. This X-Ray was sent out FOR annalysis FROM a M.D. Officer J. White was "Negligently" Holding this door when I Look in the door, the Officer was entertaining several inmates by way of Laughing and holding the door shut. I asked the C.O. to stop playing around, when I tried to open the door a second and third time the C.O. Let the door GO Ripping my toe. 9-3-2010 Monetary and Punitive Damages 200,000 He Brooks

DATE

SIGNATURE OF REQUESTER

Part B - RESPONSE

DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

P.L. CASE NUMBER: 600811-R1

Part C - RECEIPT

CASE NUMBER: _____

Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

DATE

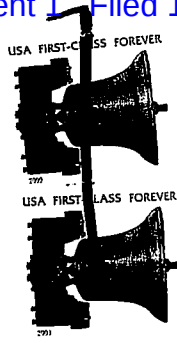
SIGNATURE, RECIPIENT OF REGIONAL APPEAL

BECG1
PAGE 033 OF 033 *
*ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL *
FULL SCREEN FORMAT *
08-06-2010
13:20:10

REGNO: 56112-083 NAME: BROOKS, ANTHONY
RSP OF...: BEC UNT/LOC/DST: POPLAR
REMEDY ID: 600811-R1 SUB1: 34AM SUB2: QTR.: A06-206L RCV OFC: MXR
UNT RCV...: POPLAR QTR RCV.: A06-206L DATE RCV: 07-23-2010
UNT ORG...: POPLAR QTR ORG.: A06-206L FACL RCV: BEC
EVT FACL.: BEC ACC LEV: FACL ORG: BEC
ABSTRACT.: STAFF HORSEPLAYING AND CAUSED INJURY TO BIG TOE
STATUS DT: 08-02-2010 STATUS CODE: REJ STATUS REASON: IRQ RSR OTH
INCRPTNO.: RCT: EXT: DATE ENTD: 08-02-2010
REMARKS...: RESPONSE IS DUE BY 8-16-2010. YOU NEED A NEW BP10
AVOIDING WRITING ACROSS TOP OF PAGE

G0000 32 REMEDY SUBMISSION(S) SELECTED
TRANSACTION SUCCESSFULLY COMPLETED

EOD → 12/5/95



Mr. Anthony E. Brooks #56112-083
Federal Correctional Inst. (Beckley)
P.O. Box 350
Beaver, WV. 25813

BP 11 Sent on 9-1-2010
Heres BP 9 and BP 10 for the
3rd time. Tort Claim and U.S. Dist. Court Next.

Federal Bureau of Prisons (Central Office)
320 - First Street, N.W.
Washington, D.C. 20534

Remedy

Form 11.

REJECTION NOTICE - ADMINISTRATIVE REMEDY

DATE: OCTOBER 25, 2010

FROM: ADMINISTRATIVE REMEDY COORDINATOR
CENTRAL OFFICE

TO : ANTHONY EUGENE BROOKS, 56112-083
BECKLEY FCI UNT: POPLAR QTR: A06-206L
P.O. BOX 1280
BEAVER, WV 25813

FOR THE REASONS LISTED BELOW, THIS CENTRAL OFFICE APPEAL
IS BEING REJECTED AND RETURNED TO YOU. YOU SHOULD INCLUDE A COPY
OF THIS NOTICE WITH ANY FUTURE CORRESPONDENCE REGARDING THE REJECTION.

REMEDY ID : 600811-A3 CENTRAL OFFICE APPEAL
DATE RECEIVED : SEPTEMBER 30, 2010
SUBJECT 1 : UNPROFESSIONAL, INAPPROPRIATE CONDUCT OR MISCONDUCT BY STAFF
SUBJECT 2 :
INCIDENT RPT NO:

REJECT REASON 1: YOU SUBMITTED YOUR REQUEST OR APPEAL TO THE
WRONG LEVEL. YOU SHOULD HAVE FILED AT THE
INSTITUTION, REGIONAL OFFICE, OR CENTRAL
OFFICE LEVEL.

REJECT REASON 2: SEE REMARKS.

REMARKS : YOU MUST SUBMIT APPEAL TO THE REGION FOR RESPONSE.

U.S. Department of Justice

Central Office Administrative Remedy Appeal

P.3

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy each of the completed BP-229(13) and BP-230(13), including any attachments must be submitted with this appeal.

From: BROOKS, Anthony Eugene #56112-083 Pop-B-Lower F.C.T. Beckly
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL

Dear Central Office, I've submitted this action twice, my next Venue is the U.S. District Judge Irene C. Berger of West Virginia. The Regional Office is stalling in hope that my "Bivins" V. Six Civil Action For \$200,000 expires. A Corrections Officer J. White while "Negligently" playing with an iron heavy door and entertaining several inmates by holding the door shut making other inmates believe the door was locked or secured. When I peeped in the window and saw the officer holding the door and laughing, I said stop playing with the door. The officer still held the door, when I tried a second and third time to open the door, the officer suddenly let the door go ripping my toe to shreds.

9-1-2010
 DATE

RECEIVED
 H.E. Brooks
 SEP 30 2010
 SIGNATURE OF REQUESTER

Part B - RESPONSE

X-Ray Shows "Fractured bone in Foot" and "Swelling along with "Ligiment damage". A University of Maryland M.D. "Doctor Sung Han Kims" Findings and injury history, Comments. (Foot L&R injured Great Toe 2 Weeks ago Continued Pain and Swelling). (Additional Findings): Abnormal distracted avulsion Fracture of proximal Lateral first proximal phalanx. Ligiment damage to "Great Toe".

* Dear Tort Director, per the "Tort Claim Form 95" a suggestion to how we may lessen this burden Respectfully Sir or mam. Move my "Halfway House" to October or November 2010 instead of March 2011. A Nine month "Halfway House" to lessen the burden.

ORIGINAL: RETURN TO INMATE H.E. Brooks 9/13/10 CASE NUMBER: #600811
 DATE GENERAL COUNSEL

Part C - RECEIPT

CASE NUMBER: _____

Return to: _____
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

DATE

SIGNATURE OF RECIPIENT OF CENTRAL OFFICE APPEAL

BP-231(13)

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: BROOKS Anthony, Eugene # 56112-083 POP-B-L Beckley
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL ON 6-11-2010 OFFICER J. White was on duty at his assigned post at Poplar-B-Lower. As I made my way back from Recreation with other inmates, OFFICER J. White was "Negligently" "Horse Playing" around trying to entertain or impress several other inmates by "Negligently" holding this huge iron door in front of unit OFFICER J. White was holding this door causing inmates to think the door was locked or jammed, this is suppose to be open at this time As I peeped in the door window, I could see it was the OFFICER "Horse Playing" and holding the door, I told him to let the door alone. When I attempted to open the door, it still would not open, however when I tried to open the door a second and third time the OFFICER suddenly 9-3-2010 Lets the door go Ripping my Big toe ME Brooks
DATE Punitive Schrecks blood was everywhere monetary SIGNATURE OF REQUESTER \$200,000

Part B - RESPONSE

DATE
If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.
ORIGINAL: RETURN TO INMATE

REGIONAL DIRECTOR

P.2 Continued
CASE NUMBER: 600811-R1

Part C - RECEIPT

CASE NUMBER: _____

Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION
SUBJECT: _____

DATE

SIGNATURE, RECIPIENT OF REGIONAL APPEAL



Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: BROOKS, Anthony E. 56112-083 Pop-B-Louier "Beckley"
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST

ON 6-11-2010 OFFICER J. White was on duty as I made my way back from a Recreation move with other inmates. C.O. White was "Negligently" Horse Playing around trying to impress or entertain several other inmates by "Holding" the "Large Iron" Front door shut, this made inmates think the door was Locked Shut. This door is usually open as we Return from "Lunch" and "Rec yard" When I peeped inside and saw OFFICER J. White holding the door shut, I said Stop Playing OFFICER "White," he was Laughing.
7-20-2010
DATE
When I again
SIGNATURE OF REQUESTER
H.E. Brooks

Part B- RESPONSE

rejected
tried to open the door, it still would not open. However, when I attempted a second and third time, the OFFICER suddenly lets the door go "Ripping" my "Big Toe" to shreds severing my entire "Big Toe" Nail causing severe pain both physically and mentally. "Psychologically" terrifying me because I knew IF I Filed this "Sensitive 9" I might be Retaliated against by other OFFICERS. J. White saw me from another unit one day and he made a very smart Remark.

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

FIRST COPY: WARDEN'S ADMINISTRATIVE REMEDY FILE

CASE NUMBER: 602309-F1

CASE NUMBER:

Part C- RECEIPT

Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)

New Remedy No. # 600811

Page 1

BECDM
PAGE 034 OF 034 **ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL *
FULL SCREEN FORMAT *08-24-2010
13:21:15

REGNO: 56112-083 NAME: BROOKS, ANTHONY
 RSP OF...: BEC UNT/LOC/DST: POPLAR QTR.: A06-206L RCV OFC: BEC
 REMEDY ID: ~~602369-F1~~ SUB1: 34AM SUB2: DATE RCV: 08-11-2010
 UNT RCV...: POPLAR QTR RCV.: A06-206L FACL RCV: BEC
 UNT ORG...: POPLAR QTR ORG.: A06-206L FACL ORG: BEC
 EVT FACL.: BEC ACC LEV: RESP DUE:
 ABSTRACT.: STAFF HORSEPLAYING AND CAUSED INJURY TO BIG TOE
 STATUS DT: 08-11-2010 STATUS CODE: REJ STATUS REASON: OTH
 INCRPTNO.: RCT: EXT: DATE ENTD: 08-11-2010
 REMARKS...: FILED A BP10 #600811-R1 AT THE REGIONAL LEV REJECTED
 ON 08-02-2010 REQUESTING YOU SUBMIT NEW BP10 AVOID
 WRITING ACROSS TOP OF PAGE. SUBMIT BY 08-16-2010

"monetary" and "punitive" Damages of \$ 200,000 dollars ⁰⁰/₁₀₀.

I Swear Under penalty and Perjury that all I attest to is true
 and correct to the best of my memory and Recollection Judge.

SO SAYETH, Anthony Eugene Brooks 9-1-2010 H.E. Brooks.

33 REMEDY SUBMISSION(S) SELECTED
 G0000 TRANSACTION SUCCESSFULLY COMPLETED

56112-083

1. OFFICER J. White, a Federal Correctional Officer at F. C. I. Beckley acting under the Full Color of the Federal Government did "Negligently" and Willfully with "Laughter" Severely injured my Foot, Specifically my Right "Big toe" by totally Severing my "Entire Big toe Nail" and Leaving my Foot in a pool of blood When I Removed my Shoe on 6-11-2010
2. OFFICER J. White was on duty at his post at my Unit Where I'm "Anthony Eugene Brooks" is housed. As I made my back from "Recreation" on 6-11-2010 the Federal Officer J. White was "Negligently" "horse Playing" by holding a "huge Iron door" Shut Causing inmates to think this door which is supposed to be open for our Return to the Unit. As I peeped in the Window, I could see the Officer "Laughing" and "Entertaining" Several inmates who were also Laughing at the Officer "Negligently" holding this huge door Shut. I asked the Officer to Stop Playing around, he did When I tried to open the door a second and third time the Officer Suddenly Lets the door go totally Ripping my Big toe to shreds, \$ 200,000



U.S. Department of Justice

Civil Division, Torts Branch
Federal Tort Claims Act Staff

MP:SBatchelder:sb
157-16-NEW

September 27, 2010

Mr. Anthony Brooks
Reg. No. 56112-083
Federal Correctional Institution - Beckley
P. O. Box 350
Beaver, WV 25813

Re: Administrative Tort Claim of Anthony Brooks

Dear Mr. Brooks:

This is in response to your administrative tort claim dated September 13, 2010, which you submitted to the U.S. Department of Justice (Department). The Department received your claim on September 22, 2010.

Because your claim concerns an alleged tort involving the U.S. Bureau of Prisons (BOP), I am forwarding it to that agency. All further communication on this matter should be directed to the BOP at the address listed below.

Very truly yours,

A handwritten signature in black ink, appearing to read "Marissa Pisarick".

MARISSA PISARICK
Paralegal
Civil Division, Torts Branch

cc: Ms. Joyce Zoldak
Associate General Counsel
Federal Bureau of Prisons
320 First Street, N.W.
Room 977 HOLC
Washington, D.C. 20534

SEP 30 2010

1. U.S. District Judge ✓
2. Regional Director and Central Office ✓
3. Tort Claim Office

BECMD
PAGE 033

*ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL
* FULL SCREEN FORMAT

08-24-2010
13:21:15

REGNO: 56112-083 NAME: BROOKS, ANTHONY
RSP OF...: BEC UNT/LOC/DST: POPLAR
REMEDY ID: 600811-R1 SUB1: 34AM SUB2:
UNT RCV...: POPLAR QTR RCV.: A06-206L
UNT ORG...: POPLAR QTR ORG.: A06-206L
EVT FACL.: BEC ACC LEV:
ABSTRACT.: STAFF HORSEPLAYING AND CAUSED INJURY TO BIG TOE
STATUS DT: 08-02-2010 STATUS CODE: REJ STATUS REASON: IRQ RSR OTH
INCRPTNO.: RCT: EXT: DATE ENTD: 08-02-2010
REMARKS...: RESPONSE IS DUE BY 8-16-2010. YOU NEED A NEW BP10
AVOIDING WRITING ACROSS TOP OF PAGE

OTR.: A06-206L RCV OFC: MXR
DATE RCV: 07-23-2010
FACI RCV: BEC C A STAFF
FACI ORG: BEC C A STAFF
RESP DUE: REPORTS BRANCH

Dear Tort Claim Director, I'm Scheduled to enter my Six month "Halfway House" in March, which only gives me Five months "Halfway House". We can Lessen this burden as the Form 95 So Claims with a 9 month "Halfway House" Sir or Mam Respectfully
G0002 MORE PAGES TO FOLLOW . . .
A.E.B. 9-13-2010

Judge, as you clearly see this administrative Remedy Request was Filed on 7-23-2010. The Response was due on 8-16-2010 however, the BP 9 Sensitive and BP 10 to the Regional Offices was denied for the simple reason of petitioner Fully stating what really happen to my severely injured and damaged "Big Toe".

The Region Claims I simply wrote over the boundrys of the Form, this obviously has to be a stall tactic as I Resubmitted both the BP 9 and BP 10 immediately after the Regions Rejection on 8-2-2010. I've still not Recieved a new Reply from the Regional Office and the date is 9-1-2010. I wish to File a "Bivins" v. "Six" Unknown Federal agents of the "Bureau of Prisons" under Civil Action U.S.C. § 1331 a Federal action For "monetary" and "Punitive" damages to the Relief of \$200,000 dollars $\frac{00}{100}$ For the Claim of "Negligence" by a Federal Official of the "Bureau of Prisons" under (Full Color) of Law of the "Federal Government". I Swear under Penalty and Perjury that all I Attest to is true. So Swear it. A.E.B. 9-1-2010.

Mr. Anthony Eugene Brooks #56112-083
Federal Correctional Institute "Beckley"
P.O. Box 350
Beaver, WV. 25813



"Impact Action"
For THE Chambers of
Judge "Johnston"
Civil Action under
U.S.C. § 1331
"Bevin's" V. "Six Unknown Agents
OF THE Federal Government"



United States District Court For
THE Southern District of West Virginia
For: THE Respected and Honorable U.S. District
Judge "Johnston's Chambers Respectfully
Suite No. 2400
300 - Virginia Street East
Charleston, West Virginia. 25301